

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (E 3338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs.	Application 00-11-038 (Filed November 16, 2000)
Emergency Application of Pacific Gas and Electric Company to Adopt a Rate Stabilization Plan (U 39 E).	Application 00-11-056 (Filed November 22, 2000)
Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527.	Application 00-10-028 (Filed October 17, 2000)

**ADMINISTRATIVE LAW JUDGE'S RULING
SHORTENING TIME TO RESPOND TO ANY APPLICATION
FOR REHEARING OF D.02-12-072**

Decision (D.) 02-12-072, the Servicing Order regarding Pacific Gas and Electric Company, was adopted by the Commission at the carry-over meeting of December 19, 2002, and mailed to the parties on December 23, 2002. The decision construed, applied, implemented, and interpreted certain provisions of Assembly Bill 1 of the Legislature's First Extraordinary Session of 2001-2002 (Stats. 2001, Ch. 4) (AB1X).

Senate Bill 31 of the First Extraordinary Session of 2001-2002 (Stats. 2001, Ch. 9) amended Pub. Util. Code § 1731, and added Pub. Util. Code § 1768. Section 1731(c) requires that as a prerequisite for filing a cause of action "in any court," an application for rehearing of a Commission decision construing,

applying, or implementing the provisions of AB1X must be filed within 10 days after the date of issuance of the decision. Accordingly, applications for rehearing of D.02-12-072 are due on January 2, 2003.

Section 1731(c) also requires the Commission to “issue its decision and order on rehearing within 20 days after the filing of that application.” In order to issue decisions and orders on rehearing of D.02-12-072 within the applicable timeframe, the Commission will need to take up consideration of any applications for rehearing at its regularly scheduled meeting on January 16, 2003.

Under Rule 86.2 of the Commission’s Rules of Practice and Procedure, a response to an application for rehearing would normally be filed no later than 15 days after the day the application for rehearing is filed. Due to the expedited schedule under Public Utilities Code Section 1731(c), and so the Commission may adequately consider responses to any applications for rehearing that may be filed, the time for filing responses must be shortened. Although the Commission is not obligated to withhold a decision on an application for rehearing to allow time for a response to be filed,¹ the time for filing a response to any application for rehearing shall be shortened to January 9, 2003. Accordingly, any party planning to file a response to any application for rehearing that may be filed shall file and serve the response on or before January 9, 2003. Any response shall be served by electronic mail on those parties who have provided an e-mail address, and by first class mail or other expeditious mode of delivery to those who have not provided an e-mail address. In addition, any responses shall also be

¹ See Rule 86.2 of the Commission’s Rules of Practice and Procedure.

electronically served on the following Commission staff: Mary McKenzie (mfm@cpuc.ca.gov).

Therefore, **IT IS RULED** that the time for filing a response to any applications for rehearing of Decision 02-12-072 that may be filed shall be shortened. Any party filing responses to such applications for rehearing shall file the responses on or before January 9, 2003, and shall serve the responses in the manner specified above.

Dated December 23, 2002, at San Francisco, California.

/s/ JOHN S. WONG

John S. Wong
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Shortening Time to Respond to Any Applicationsfor Rehearing of D.02-12-072 on all parties of record in this proceeding or their attorneys of record.

Dated December 23, 2002, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.